

Message Text

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SUBJECT: SECOND REPORT TO THE CONGRESS ON KOREAN COOPERA-
TION WITH JUSTICE INVESTIGATION

FOLLOWING IS TEXT OF REPORT SUBMITTED TO THE CONGRESS
ON FEBRUARY 3, 1978 BY ASSISTANT SECRETARY BENNET ON
BEHALF OF THE PRESIDENT:

BEGIN TEXT

THIS REPORT IS SUBMITTED IN ACCORDANCE WITH SECTION 28
OF THE INTERNATIONAL SECURITY ASSISTANCE ACT OF 1977
(PUBLIC LAW 95-92), ENACTED AUGUST 4, 1977. SUBSECTION
(A) (2) OF SECTION 28 REQUESTS THAT THE PRESIDENT REPORT
TO THE CONGRESS WITHIN NINETY DAYS OF THE ENACTMENT OF THE
ACT AND EACH NINETY DAYS THEREAFTER CONCERNING "THE EXTENT
TO WHICH THE REPUBLIC OF KOREA IS COOPERATING WITH" THE
DEPARTMENT OF JUSTICE INVESTIGATION INTO ALLEGATIONS OF
IMPROPER ACTIVITY IN THE UNITED STATES BY AGENTS OF THE
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REPUBLIC OF KOREA. THIS REPORT SUPPLEMENTS THE PREVIOUS
REPORT SUBMITTED IN ACCORDANCE WITH SECTION 28 ON
NOVEMBER 4, 1977.

THE NEGOTIATIONS WHICH WERE UNDERWAY BETWEEN THE GOVERNMENTS

OF THE UNITED STATES AND THE REPUBLIC OF KOREA AT THE TIME OF THE NOVEMBER 4, 1977 REPORT RESULTED IN COMPLETE AGREEMENT ON MEASURES FOR A FULL AND DIRECT INTERROGATION OF MR. TONGSUN PARK BY JUSTICE DEPARTMENT PROSECUTORS AND MR. PARK'S SUBSEQUENT RETURN TO THE UNITED STATES TO TESTIFY AS A WITNESS AT COURT TRIALS OF U.S. OFFICIALS OR PERSONS. A JOINT STATEMENT EMBODYING THE PRINCIPLES AGREED TO FOR COOPERATION BETWEEN OUR TWO GOVERNMENTS IN THIS REGARD WAS SIGNED IN SEOUL ON DECEMBER 31, 1977 BY U.S. AMBASSADOR RICHARD L. SNEIDER AND REPUBLIC OF KOREA FOREIGN MINISTER TONG JIN PARK. THE FULL TEXT IS APPENDED TO THIS REPORT.

BASED ON THESE JOINT UNDERSTANDINGS, A MORE DETAILED MUTUAL PROSECUTION ASSISTANCE AGREEMENT BETWEEN THE U.S. DEPARTMENT OF JUSTICE AND THE KOREAN MINISTRY OF JUSTICE WAS THEN CONCLUDED IN SEOUL ON JANUARY 10, 1978 AND SIGNED BY ACTING DEPUTY ATTORNEY GENERAL BENJAMIN R. CIVILETTI AND REPUBLIC OF KOREA VICE MINISTER OF JUSTICE CHONG WON LEE. THE TEXT OF THE MUTUAL PROSECUTION ASSISTANCE AGREEMENT IS ALSO APPENDED HERETO.

INTERROGATION OF MR. TONGSUN PARK BY JUSTICE DEPARTMENT PROSECUTORS COMMENCED ON JANUARY 12, 1978 AND WILL BE CONCLUDING WITHIN THE NEXT FEW DAYS. WE ARE INFORMED BY THE JUSTICE DEPARTMENT THAT IT HAS BEEN A FULL AND FRUITFUL INTERROGATION.

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IN THE CONCLUSION OF THE MUTUAL PROSECUTION ASSISTANCE AGREEMENT AND THROUGHOUT THE CURRENT INTERROGATION IN SEOUL, THE COOPERATION OF THE GOVERNMENT OF THE REPUBLIC OF KOREA, AND OF THE KOREAN MINISTRY OF JUSTICE IN PARTICULAR, HAS BEEN RESPONSIVE TO THE NEEDS OF THE DEPARTMENT OF JUSTICE.

ALTHOUGH THESE ARRANGEMENTS WERE NOT JOINED IN BY ANY CONGRESSIONAL COMMITTEE, OBSERVERS FROM THE SENATE SELECT COMMITTEE ON ETHICS AND THE HOUSE COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT WERE PRESENT FOR MUCH OF THE JUSTICE DEPARTMENT INTERROGATION IN SEOUL. AT THE TIME OF THIS REPORT WE UNDERSTAND THAT ARRANGEMENTS ARE IN TRAIN BETWEEN MR. PARK AND THESE TWO COMMITTEES FOR MR. PARK TO TESTIFY AT HEARINGS WHICH THE COMMITTEES MAY HOLD FOLLOWING EXAMINATION BY THEM OF THE TESTIMONY NOW BEING TAKEN IN SEOUL BY THE DEPARTMENT OF JUSTICE.

THE U.S. GOVERNMENT BELIEVES THAT THE GOVERNMENT OF THE REPUBLIC OF KOREA IS EXTENDING EFFECTIVE COOPERATION TO

THE U.S. GOVERNMENT IN ASSISTING WITH THE PURSUIT OF THIS
INVESTIGATION.

ADDENDUM 1 - JOINT STATEMENT OF UNDERSTANDINGS

ADDENDUM 2 - MUTUAL PROSECUTION ASSISTANCE AGREEMENT
END TEXT VANCE

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